

## **Title 4 – General Provisions**

### **Chapter 2 – Keeping of Pit Bull Dogs**

#### **SECTIONS:**

- 4-2-1 Purpose
- 4-2-2 Keeping of Pit Bull Dogs Prohibited
- 4-2-3 Definition
- 4-2-4 Spayed or Neutered
- 4-2-5 Leash Requirement
- 4-2-6 Confinement
- 4-2-7 Confinement Indoors
- 4-2-8 Signs
- 4-2-9 Financial Responsibility
- 4-2-10 Identification Photographs and Microchips
- 4-2-11 Reporting Requirements
- 4-2-12 Sale or Transfer of Ownership Prohibited
- 4-2-13 Irrebuttable Presumptions
- 4-2-14 Failure to Comply
- 4-2-15 Violation - Penalty

4-2-1 Purpose. In order to protect the health, safety and welfare of the residents and citizens of the city, the provisions of this chapter are enacted by the City Council.

4-2-2 Keeping of Pit Bull Dogs Prohibited. It is unlawful to keep, harbor, own or in any way possess within the corporate limits of the city, any pit bull dogs; provided that pit bull dogs licensed with the city within thirty (30) days of the effective date of this chapter, August 1, 2003, may be kept within the city subject to the standards and requirements set forth in this chapter.

4-2-3 Definition. "Pit bull dog" is defined to mean a) Staffordshire terrier breed of dog; b) the American pit bull terrier breed of dog; c) the American Staffordshire terrier breed of dog; d) any dog which has the appearance and characteristics of being predominantly of the breeds of Staffordshire terrier, American pit bull terrier, or American Staffordshire terrier.

4-2-4 Spayed or Neutered. All pit bull dogs shall be spayed or neutered within 60 days of the effective date of this chapter or by six months of age and a certificate that such dog has been spayed or neutered shall be filed with the city clerk.

4-2-5 Leash Requirement. No person shall permit a licensed pit bull dog to go outside its kennel or pen unless such dog is securely muzzled and leashed with a leash no longer than six feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, dog houses or buildings.

4-2-6 Confinement. All licensed pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine licensed pit bull dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor of solid construction (such as concrete) to prevent escape and to allow for proper cleaning, odor control and health of the dog, attached to the sides of the pen or the sides of

the pen must be imbedded in the ground no less than two feet. All structures erected to house pit bull dogs must comply with all zoning and building regulations of the city. All such structures must be adequately ventilated and kept in a clean and sanitary condition.

4-2-7 Confinement Indoors. No pit bull dog may be kept on a porch, patio or in a part of the house or structure that would allow the dog to exit such building on its own volition. In addition, no pit bull dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

4-2-8 Signs. All owners, keepers or harborers of licensed pit bull dogs within the city shall within ten days of the effective date of the ordinance codified in this chapter shall display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog, Pit Bull on Premises". In addition, a similar sign is required to be posted on the kennel or pen of such animal.

4-2-9 Financial Responsibility. All owners, keepers or harborers of licensed pit bull dogs must within ten days of the effective date of the ordinance codified in this chapter provide proof to the city clerk of financial responsibility in a single incident amount of \$50,000.00 for bodily injury to or death of any person or persons or for damages to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The financial responsibility requirement of this section may be met by a homeowner's or tenant's insurance policy if such policy clearly and specifically provides coverage in the amounts required in this chapter. Such insurance policy shall provide that no cancellation of that policy will be made unless ten days written notice is first given to the city clerk of the city.

4-2-10 Identification Photographs and Microchips. All owners, keepers or harborers of licensed pit bull dogs must within ten days of the effective date of the ordinance codified in this chapter provide to the city clerk proof that an identification microchip has been implanted between the shoulder blades of the pit bull dog and shall affix a tag to the collar on the dog indicating that a microchip has been implanted between the shoulder blades of the pit bull dog.

4-2-11 Reporting Requirements. All owners, keepers or harborers of licensed pit bull dogs must within ten days of the incident, report the removal from the city or death of a licensed pit bull dog or the new address of a licensed pit bull dog owner should the owner move within the corporate limits of the city in writing to the city clerk.

4-2-12 Sale or Transfer of Ownership Prohibited. No person shall sell, barter or in any other way dispose of a pit bull dog licensed with the city to any person within the city unless the recipient person resides permanently in the same household and on the same premises as the licensed owner of such dog; provided, that the licensed owner of a pit bull dog may sell or otherwise dispose of a licensed pit bull dog to persons who do not reside within the city.

4-2-13 Irrebuttable Presumptions. There shall be an irrebuttable presumption that any dog listed or registered with any kennel, association or public authority as a pit bull dog as defined in this chapter is in fact a dog subject to the requirements of this chapter.

4-2-14 Failure to Comply. It shall be unlawful for the owner, keeper or harborer of a pit bull dog licensed with the city to fail to comply with the requirements and conditions set forth in this chapter. Any pit bull dog found to be the subject of a violation of this chapter shall be

subject to immediate seizure and impoundment. In addition, failure to comply shall result in the revocation of the license of such animal resulting in the immediate removal of the animal from the city.

4-2-15 Violation – Penalty. Any person violating or permitting the violation of any provision of this chapter commits a municipal infraction and shall be subject to the civil penalty in the amount of \$300.00. In addition, the court shall order the license of the subject pit bull dog revoked and the dog removed from the city. Should the violator refuse to remove the dog from the city, the court shall find the violator in contempt and order the immediate confiscation and impoundment of the dog. Each day that a violation of this chapter continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this chapter shall pay all expenses, including shelter, food, handling, veterinary care, and testimony necessitated by the enforcement of this chapter.